

Official Minutes for Webb County Commissioners Court Meeting

Monday, May 12, 2003 at 1:30 P.M.

(Approved 05-27-2003)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:30 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 8th and 9th of May 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Invocation – Cmr. Felix Velasquez

- Item No. 4 Pledge of Allegiance – Cmr. David Cortez

- Item No. 5 Approval of minutes – April 28, 2003 meeting

Judge Bruni stated that Item No. 8, Sara Jo Valdez should state Sara Jo Davila. (Please note that Ms. Davila has been addressed at previous meetings and by Dr. Farias as Ms. Sara Jo Valdez.) Judge Bruni stated that on Item No. 15, Tract 3 should be Tract 4. Cmr. Vasquez, Cmr. Gutierrez, Cmr. Velasquez and Cmr. Cortez had no other corrections, deletions or additions to the minutes.

Cmr. Gutierrez motioned to approve the minutes with corrections. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 7. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Communications

Cmr. Velasquez stated that he would be presenting the United High School's Basketball team with the Webb County "Reaching for the Stars" Award. He stated that this team was the Area District, Bi-District, and Area Regional Final Champions for the 2003 Season. He presented the award to Head Coach Bobby Cruz, Coach Canales, Asst. Coach Cardenas, and Asst. Coach Gomez and the players. He congratulated them for a superb job and hoped that the team would go all the way to state next year. Mr. Bobby Cruz thanked Court for award. He stated that no other team in Laredo, since 1956, has gone as far as they did this year. He stated that they are not just representing their school, but their community, families and districts. Mr. Cruz presented the Court members with the teams District Champions T-Shirts.

Judge Bruni stated that he wanted to address the Court with his concerns about the potential budget cuts in Austin that would affect many county and local governments. He stated that many counties would stand to lose a significant amount of monies and that he would be working closely with everyone involved to figure out how this would adversely affect the upcoming budget.

Cmr. Gutierrez stated that she shared the same concerns as Judge Bruni and that was why she believes that the court should show support of House Joint Resolution (HJR) 91, which would forbid unfunded mandates unless they are federal mandates.

Addendum Item No. 1

Discussion and possible action to appoint a Road and Bridge Superintendent.

(Please note that no motion was made to bring up Item as this time)

Cmr. Cortez motioned to appoint Mr. Jose Valdez as the Road and Bridge Superintendent. Judge Bruni seconded the motion.

Motion failed 2-3 with Cmr. Vasquez, Cmr. Gutierrez and Cmr. Velasquez voting against.

Cmr. Velasquez stated that after careful consideration and following the lengthy interview process that took place last week, he believed that the person best suited for the job was Mr. Jose Luis Rodriguez, the present Road & Bridge Superintendent.

Cmr. Velasquez motioned to extend a two year contract with the understanding that the Court and Mr. Rodriguez would need to work on a plan for projects pending as well as have Mr. Rodriguez reporting directly to the Court instead of the Engineering and Planning Department.

Mr. Homero Ramirez, County Attorney, advised Court that this position is a statutory appointment and is not a contract basis. He recommended that motion be rephrased to state, "Appoint as Superintendent as stated in state statute."

Ms. Margie Ramirez Ibarra, County Clerk, advised Court that no motion was made to move up the Item.

Mr. Homero Ramirez, County Attorney, stated that as a formality, a motion be made to bring up Addendum Item No. 1. Cmr. Cortez stated that since Cmr. Velasquez motion did not have a second, there could be not further discussion on this item.

Addendum Item No. 1

Discussion and possible action to appoint a Road and Bridge Superintendent.

Bruni motioned to table item. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent to table Item.

Judge Bruni stated that it was a shame that the Court could not make a change that was needed. He stated that the County roads were an embarrassment.

Item No. 8 Public Comment

There were no public comments.

Item No. 9 Discussion and possible action for the appointment of a scoring committee for the evaluation and qualification of applications for the Delinquent Tax Services Contract.

Judge Bruni motioned to have each Commissioner and himself appoint someone to serve on this committee. Cmr. Cortez seconded the motion.

Judge Bruni stated that by appointing a scoring committee to evaluate the applications submitted for the Delinquent Tax Services Contract, the political aspect of this lucrative contract would be removed. He stated that this committee would ensure that the best deal would be worked out and that it would be for the betterment of the residents of Webb County. He stated that after the Court is advised of the most qualified applicants, interviews would be conducted on Wednesday, May 14, 2003. Mr. Joe Rubio, District Attorney, stated that he is also concerned about hiring the best law firm because he wants the collection rate to be kept at the same or at a better rate than it is right now. He stated that the scoring committee should be used to recommend the best choice.

Motion failed 2-3 with Cmr. Vasquez, Cmr. Gutierrez and Cmr. Velasquez voting against

Judge Bruni stated that it was extremely important to use a scoring committee to remove the political aspect of this contract and get the best choice for the residents of Webb County. He quoted Cmr. Velasquez at a previous meeting as stating that he was in favor of using a scoring committee for the selection of the Road and Bridge Superintendent. Cmr. Velasquez requested further discussion to clarify his choice but Judge Bruni denied his request and stated that item was closed.

Item No. 10 Discussion and possible action regarding Cause No. 2001-CVQ-001273-D2; Juarez, et. al vs. Webb County, et. al; in the 111th Judicial District Court of Webb County, Texas. [Closed Session requested pursuant to Texas Open Meeting Act §551.071 (Consultation with Attorney)]

Judge Bruni motioned to discuss item No. 10 in Executive Session. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to discuss Item No. 10 in Executive Session.

Judge Bruni motioned to move up Item No. 19. (Please note that there was no second or vote taken. As per County Attorney, leave as is)

- Item No. 19 Discussion and possible action regarding clarification and/or modification of Court's prior ruling regarding office space allocation in the Justice of the Peace building Precinct 4 at 8501 San Dario, Laredo, Texas, with the possibility of making certain office space available for use by the Justice of the Peace to accommodate continuous growth and increase in workload.

Justice of the Peace Oscar Martinez was present to request additional space for his office due to the rapid growth that they have been experiencing. He stated that revenues have been growing and that he needs a safe place to deposit monies at the end of the day until they are deposited the next day. He stated that he is also in need of a clerk to handle only the register as well as additional security due there is no security on site after the court cases are completed. He stated that the office space is very limited and that he is in dire need of additional office space. He stated that the office currently being occupied by Constable Juarez as an evidence room is not properly safeguarded.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Cortez stated that he would like for the motion to include the removal of a vehicle owned by Constable Juarez that seems to have been abandoned and is an eyesore.

Cmr. Gutierrez motioned to incorporate Cmr. Cortez's recommendation into her motion. Cmr. Vasquez concurred and called for the question.

Judge Bruni stated that if vehicle was privately owned, that it be impounded and if it is a County vehicle, then the Road and Bridge Department should remove it.

Motion carried 5-0 by unanimous consent.

Justice of the Peace Oscar Martinez also requested the Court's support in obtaining a cash register for his office.

- Item No. 11 Discussion and possible action on approving a contract time extension for Turner Collie & Braden Inc., Project Engineer for the Webb County Highway 59 Facility Plan Project up to November 1, 2003, with no cost increase to the contract.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 3-2 with Judge Bruni and Cmr. Cortez voting against.

- Item No. 12 Discussion and possible action to approve Change Order #1 to the C.G. Construction contract (Bruni Community Center) by adding TWENTY-ONE THOUSAND ONE HUNDRED THIRTY-TWO DOLLARS and SEVENTY-FIVE CENTS (\$21,132.75) for the Asphalt Paving of the Bruni Community Center parking lot (TEN THOUSAND DOLLARS (\$10,000) from Account #010-7002-6022 (Road and Bridge Professional Services) and ELEVEN THOUSAND ONE HUNDRED THIRTY-TWO DOLLARS AND SEVENTY-FIVE CENTS (\$11,132.75) from Account 678-8103-8710-2 (Park Development Precinct 2).

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Velasquez inquired as to why Road and Bridge funds were being used instead of monies from bond series. Mr. Tomas Rodriguez, Engineering Department, stated that when grant was first approved, an in-kind match was required and the County had decided to provide the paving for the parking lot located at the building. He stated that because the main concern at the moment for the Road and Bridge Department was the paving and maintaining of County roads, the Road and Bridge Department had

decided to instead commit funds to hire someone for the project. Cmr. Cortez inquired if building could be downsized to save monies and Mr. Rodriguez stated that building was already approximately 90% completed. He stated that if this item were approved, it would be started in about 10 days.

Motion carried 5-0 by unanimous consent.

Item No. 13 Discussion and possible action to pass a resolution in support of House Joint Resolution No. 91

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14 Discussion and possible action to ear mark the proceeds from the sale of the golf course tract in the amount of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) for the golf course department improvements.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Cortez inquired if there were any particular projects that the monies were being earmarked for. Cmr. Velasquez stated that there were several. Mr. Homero Ramirez, County Attorney, made a notation that this item was only for the Auditor's and Treasurer's department to know that this money was earmarked for this department but that a line item transfer would be needed to transfer money to that department for use.

Motion carried 5-0 by unanimous consent.

Item No. 15 Discussion and possible action to set June 24-26 for the annual department head evaluations.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Cortez stated that he believed that evaluations are important and are a part of the responsibility of the Commissioners Court to carry out. He stated that he himself would find it difficult to

evaluate a department head when he has only been in office for 5 months. He stated that he would like more time so that he could find out what their department's goals are and how their office works as a whole. He stated that he would request that the evaluations be suspended for three months. Cmr. Velasquez stated that he understood where Cmr. Cortez was coming from due when he first came into office, evaluations were held in April and that he has no problems with suspending the evaluations until a later time. Cmr. Cortez suggested the 3rd Monday of September 2003.

Cmr. Gutierrez modified her motion to show the 3rd Monday of September as the date for the evaluations. Cmr. Vasquez modified his second to show this change.

Motion carried 5-0 by unanimous consent.

- Item No. 16 Discussion and possible action to fill vacant slot #2112 full-time Maintenance Aide I, at \$8.25 / hour, with no change to FY' 02-'03 Budget. [Account #001-6001-5001 (Payroll)]

Cmr. Velasquez stated that this slot has been vacant for some time but that the department needs to fill slot due to the condition that the golf course is in. Mr. Leo Flores, County Auditor, stated that slot should be identified as Technician not Maintenance Aide I.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action to enter a re-negotiated equipment lease agreement with John Deere Credit in the amount of SEVEN THOUSAND DOLLARS (\$7,000.00) / month at thirty-six (36) months, for mowing and maintenance equipment at the golf course and the Webb County Judge to sign all relevant documents. The re-negotiation results in a savings of THREE THOUSAND NINE HUNDRED TWELVE DOLLARS (\$3,912.00) to budgeted Account #001-6001-6096 Lease Purchase Principal. Requesting this and any other savings to this account as determined by the Webb County Auditor's Office to be transferred to: [Account #001-6001-8604 (Capital Improvements to Golf Course)]

Mr. Homero Ramirez, County Attorney, recommended that the Court table this item due neither his office nor the Auditor's Department has received any documentation on this item. Judge Bruni inquired as to whether equipment is new or used. Mr. Bruce Chestnut, Golf Course Supervisor, stated that this item had been approved on December 9, 2002 by the previous administration but that the documents were never executed. He stated that the equipment would be new and would allow his employees to perform the daily maintenance more efficiently and allow more time for improvements to the course to be made. He stated that the documentation had been submitted in October 2002 and in December 2002 to the County Attorney's Department.

Comr. Velasquez motioned to defer item. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 18 Discussion and possible action to pass a Resolution in support of Border Area Nutrition Council's Elderly Employment Advocacy Program.

Comr. Cortez motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Comr. Gutierrez motioned for a 5-minute recess. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

RECESS (2:38 p.m. to 2:45 p.m.)

Judge Bruni reconvened meeting.

- Item No. 6 Approval of bills, payroll and monthly reports

Comr. Vasquez motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that in regards to Item No. 17, no documentation has been submitted to his office.

- Item No. 20 Discussion and possible action to approve a line item transfer of FIFTY-FIVE DOLLARS (\$55.00) from Account #001-1111-6205 (Materials and Supplies) to Account #001-1111-6402 (Repairs and Maintenance equipment).

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to approve allocation, Budget and General Order, for the Community Services Block Grant (CSBG) from Texas Department of Housing & Community Affairs (TDHCA) in the amount of THREE HUNDRED FORTY-FOUR THOUSAND TWO HUNDRED TEN DOLLARS (\$344,210.00) for FY 2003. This allocation represents only seventy-five percent (75%) of total projected funding for FY 2003.

Comr. Gutierrez motioned to approve item as submitted. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22 Discussion and possible action to approve Community Action Agency's application to City of Laredo, for third party funding for FY 2003-2004, for the Meals on Wheels Program, in the amount of FORTY-FIVE THOUSAND DOLLARS (\$45,000.00) and authorizing the County Judge to sign all relevant documents.

- Item No. 23 Discussion and possible action to approve the Department of Energy (DOE) and Oil Overcharge allocation and budget, for FY 2003-2004, from the Texas Department of Housing and Community Affairs (TDHCA), for the Weatherization Program in the amount of FORTY-FIVE THOUSAND SIX HUNDRED THIRTY-TWO DOLLARS (\$45,632.00).

- Item No. 24 Discussion and possible action to approve the FY 2003-2004 Low-Income Home Energy Assistance Program (LIHEAP) allocation and budget for the Weatherization Program, from Texas Department of Housing & Community Affairs, in the amount of SEVENTY-SIX THOUSAND SIX HUNDRED FIFTY-FOUR DOLLARS (\$76,654.00).
- Item No. 25 Discussion and possible action to approve Community Action Agency's application to City of Laredo, for third party funding for FY 2003-2004, for the Elderly Nutrition Program, in the amount of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), and authorizing the County Judge to sign all relevant documents.
- Cmr. Gutierrez motioned to approve item No. 22, No. 23, No. 24, and No. 25 as submitted. Cmr. Vasquez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 26 Discussion and possible action to enter into a Business Associate Agreement with Blue Cross Blue Shield in order to comply with the "Standards for Privacy of Individually Identifiable Health Information" (i.e. Privacy Rules) pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and authorizing the Webb County Judge to execute all relevant documents. [Requested by Risk Management]
- Mr. Homero Ramirez, County Attorney, stated that this was the next step in complying with federal law.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 27 Discussion and possible action to submit a Grant application to the City of Laredo for their "Emergency Services Grant" provided by the U.S. Department of Housing and Urban Development. Any grant moneys received by Webb County

will be used to target homeless prevention. [Requested by Community Action Agency]

Item No. 28 Discussion and possible action on the approval of Community Action Agency's "After School Tutoring Program" policies. The program provides after school tutoring at the Mother Cabrini and Buenos Aires neighborhood community centers. [Requested by Community Action Agency]

Item No. 29 Discussion and possible action to enter into an agreement with the State of Texas, acting through the Texas Department of Transportation, to accept for FY 2003 (April 15, 2003 through April 30, 2004) a "Vehicle Capital Replacement Grant" (Misc. Contract No. 51322F6033) in the amount of SIXTY-SIX THOUSAND DOLLARS (\$66,000.00) and authorizing the Webb County Judge to sign all relevant documents. [Requested by Community Action Agency/El Aguila]

Item No. 30 Discussion and possible action to enter into a one (1) year lease agreement with the City of Laredo for approximately 1000 square feet of office space constituting Building S-3 located at 1703 Sandman Street at a monthly rental fee of FOUR HUNDRED DOLLARS (\$400.00) for a total cost of FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$4,800.00) over the lease term, and authorizing the Webb County Judge to execute all relevant documents. [Account #903-4207- 6012 (Space Rental) Requested by Head Start]

Cmr. Vasquez motioned to approve item No. 27, No. 28, No. 29, and No. 30 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni stated that item would be discussed in Executive Session.

Item No. 32 Discussion and possible action to authorize the Purchasing Agent to solicit request for proposals (RFP) for "Architectural Services" for the design, preparation of construction drawings and provide construction administration for the construction

of the Rio Bravo Community Park. [Account #678-8103-8710-1 (Park Development Precinct 1)]

Item No. 33 Discussion and possible action on submission of a resolution of the Commissioners Court of Webb County, Texas, authorizing the participation in the Rio Bravo Drainage Improvements Grant Project.

Item No. 34 Discussion and possible action on submission of a resolution of the Commissioners Court of Webb County, Texas, authorizing the participation in the Rio Bravo Housing Rehabilitation Grant Project.

Comr. Gutierrez motioned to approve item No. 32, No. 33 and No. 34 as submitted. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion and possible action to approve the Head Start refunding application for Fiscal year 2003-2004 (September 1, 2003 through August 31, 2004) for a grand total of NINE MILLION THREE HUNDRED FORTY THOUSAND EIGHTY-FOUR DOLLARS (\$9,340,084) (Federal Share = \$7,472,067 and In-Kind = \$1,868,017)

Comr. Vasquez motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Ms. Eliza Oliveros, Head Start Director, stated that the in-kind match consisted of donations by parents and local companies. She stated that the in-kind match is almost always more than what is required by the grant.

Motion carried 5-0 by unanimous consent.

Item No. 36 Discussion and possible action on the approval of a line item transfer:

FROM:

Acct #001-4101-5601 Administrative travel \$2,250.00

TO:

Acct #001-4101-6402 Repair and Maintenance \$1,000.00
Equipment
Acct #001-4101-6005 Postage \$250.00
Acct #001-4101-6205 Material and Supplies \$1,000.00

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37 Discussion and possible action on the approval, modification and/or revision of the draft of the "2002-2007" Capital Improvements Plan" dated April 29, 2003, as revised by the Chief of Staff, County Engineer, and Planning Director, and any matters incident thereto (Co-sponsored by Chief of Staff and County Engineer).

Item No. 38 Discussion and possible action to issue "Certification Regarding compliance with Plat Requirements and the Connection of Utilities" to authorize utility connection to the following properties:

Connection(s) qualifying under Section 232.029 (i):

- 1) Tract 23-4, Ranchitos Las Lomas II Subdivision, (electricity-one dwelling only).
- 2) Tract 292, Ranchitos Las Lomas II Subdivision, (electricity-one dwelling only).
- 3) Lot 77, Las Pilas II Subdivision, (electricity - one dwelling only).
- 4) Tract 26, Four Points Subdivision, (electricity-one dwelling only).
- 5) Lot 9, Los Veteranos 83 Subdivision, (electricity-one dwelling only).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Tomas Rodriguez, Engineering Department, stated that draft was submitted in November 2002 and that he was requesting approval to make some modifications on the draft submitted. He stated that Webb County is a co-applicant with the City of Laredo

for a colonia project and would like to include that project into the Capital Improvement Plan (CIP) submitted in the draft. Cmr. Cortez stated that he has not seen this draft and would like to get together with Mr. Rodriguez so that he can be brought up to date. Cmr. Gutierrez stated that she has worked in conjunction with the City of Laredo on this project and would like for the County to place signs at some project sites due the signs there only give credit to the City of Laredo when this is a joint effort. Cmr. Velasquez inquired as to when funding for these projects will be reconciled as to the monies approved and the monies spent. Ms. Rhonda Tiffin, Planning Department, stated that they couldn't do the auditing but that any funding from bond monies has been identified along with the bond series number. She stated that this document would be on the county website upon approval for the public to view. Ms. Tiffin stated that any modifications have been made in accordance with the requests of the Court.

Motion carried 4-1 with Cmr. Cortez voting against.

Mr. Raul Casso, Chief of Staff, advised Court that this is a work in process and is now at the point in which the Court can work with it and the finished product would be up to court. Cmr. Gutierrez commended the efforts put into this project by Mr. Casso, Mr. Rodriguez and Ms. Tiffin.

- Item No. 39 Discussion and possible action to accept the substantial completion certificate submitted by Sunbelt Air Conditioning and Refrigeration for the Central Chilled Water Plant at the Webb County Justice Center. [Account #001-0109-6401 (Repairs and Maintenance – Buildings)]
- Item No. 40 Discussion and possible action to authorize the Purchasing Agent to obtain the services of Simplex Grinnell for one year to provide fire alarm testing and inspection services for the Justice Center, Agricultural Building, Courthouse, and Administration Building in the amount of NINE THOUSAND FOUR HUNDRED SIXTEEN DOLLARS and FIFTY CENTS (\$9,416.50). [Account #001-0109-6401 (Repairs and Maintenance – Building)]
- Item No. 41 Discussion and possible action to authorize the Purchasing Agent to obtain the services of Quality Air Conditioning and

Heating for the temporary Morgue in the amount of ELEVEN THOUSAND FOUR HUNDRED DOLLARS (\$11,400.00) for the County Engineering Department. [Account # 676-8101-8601 (Construction in Progress – County Morgue)]

Item No. 42 Discussion and possible action to approve lease purchase of nine (9) digital Copiers for the Community Action Agency Neighborhood Centers for thirty-six (36) months at TWO HUNDRED SEVENTY DOLLARS \$270.00) monthly from Nevill. [Account #920-4200-6014 (Equipment Rental Community Services Block Grant)]

Item No. 43 Discussion and possible action to authorize the Purchasing Agent to solicit bids for all annual contracts for FY 2003-2004 for Webb County.

Item No. 44 Discussion and possible action to authorize the Purchasing Agent to obtain the services of Cantu Electric Inc. to do all the general electrical, data and telephone wiring for the temporary Morgue in the amount of TEN THOUSAND NINE HUNDRED THIRTY-EIGHT DOLLARS (\$10,938.00). [Account # 676-8101- 8601 (Construction in Progress County Morgue)]

Cmr. Gutierrez motioned to approve item No. 39, No. 40, No. 41, No. 42, No. 43 and No. 44 as submitted. Cmr. Vasquez seconded the motion.

Cmr. Velasquez stated that previous administration had budgeted \$25,000.00 for the temporary morgue and he wanted to know if any additional monies had been allotted and what the current balance was. Mr. Rodriguez, Engineering Department, stated that the first page showed the amount budgeted by the Court at \$125,850.00 and the second and third pages show the budget and the actual costs. He stated that there is approximately \$20,000.00 in the contingency fund and that the project is on budget as of this point. Cmr. Velasquez wanted to know if there would be any other indirect costs and when the permanent site would be build. Cmr. Gutierrez stated that no permanent site has been chosen and that there is \$1.5 million dollars with which to build the permanent morgue. She stated that some of the equipment located at the temporary morgue would be used at the permanent location, which would help cut costs. She stated that the temporary morgue also

received approximately \$20,000.00 in equipment from Doctors Hospital. According to Mr. Tomas Rodriguez, approximately \$30,000.00 worth of equipment would be salvaged from the temporary morgue to be used at the permanent morgue. He stated that temporary morgue building belongs to the City of Laredo.

Motion carried 5-0 by unanimous consent.

Item No. 45 Discussion and possible action to approve the following for the FY 2002-2003 Property, Casualty/Liability Insurance Policy:

- 1) Rejection of Personal Injury Protection Coverage
- 2) Rejection of Uninsured/Underinsured Motorist Coverage

Item No. 46 Discussion regarding Risk Management's Annual Report for FY 2001-2002

- 1) Health Insurance Program
- 2) Worker's Compensation Program
- 3) Property/Casualty/Liability

Cmr. Vasquez motioned to approve item No. 45 and No. 46 as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Velasquez stepped out.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Ms. Juanita Puente stated that sections of the "Standards for Privacy of Individually Identifiable Health Information" (i.e. Privacy Rules) pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) would be posted on the County website.

Item No. 47 Discussion and possible action to approve request from the Tax Assessor-Collector's Office, Dept. 0700 to approve the purchase of kitchen sink and cabinets to replace existing ones with the total not to exceed TWO THOUSAND DOLLARS (\$2,000.00). [Account #001-0109-6401 (Repairs and Maintenance Buildings)]

Item No. 48 Discussion and possible action to approve request for refunds as recommended by the Tax Assessor-Collector as follows:

1) E O G Resources (Minerals) c/o Ernst & Young LLP

Reason: Split as per new division order

Total Refund: \$4,622.67

2) Hess Rudolf

Reason: Clerical Error

Total Refund: \$3,363.96

3) Michael Petroleum Corp c/o Boyd & Davison LLC

Reason: Split as per new division order

Total Refund: \$11,755.68

4) Vaquillas Development LTD c/o Walker Plaza Bldg.

Reason: Double assessed with Concord Hills V for 2001-2002

Total Refund: \$1,315.02

5) Killam Oil Co. LTD c/o Ernst & Young LLP

Reason: Split as per new division order

Total Refund: \$4,092.37

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Ms. Patricia Barrera, Tax Assessor-Collector, advised Court that delinquent tax statements would be sent out today.

Cmr. Velasquez returns.

Judge Bruni stated that there were two items to be discussed in Executive Session.

Mr. Homero Ramirez, County Attorney, stated that for Item No. 10, the County's attorney would be Mr. Jim Allison, via teleconference, and that he would be disqualifying himself from being present due he is representing one or both of the plaintiffs in this case and that it would be a conflict of interest. Mr. Ramirez stated that he would the attorney for the case presented on Item No. 31.

Cmr. Gutierrez motioned to enter into Executive Session, discussing Item No. 10 first. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent to enter into Executive Session.

EXECUTIVE SESSION (3:25 P.M. TO 4:07 P.M.)

Judge Bruni called meeting to order and stated that no action was taken during Executive Session.

- Item No. 31 Discussion and possible action regarding Cause No. 2002-00312-D2; Calixto Flores vs. Webb County; in the 111th Judicial District Court of Webb County, Texas. [Closed Session may be requested pursuant to Texas Open Meetings Act §551.071 (Consultation with Attorney)]

Mr. Homero Ramirez stated that Item No. 31 was strictly informational and required no action at this time.

- Item No. 10 Discussion and possible action regarding Cause No. 2001-CVQ-001273-D2; Juarez, et. al vs. Webb County, et. al; in the 111th Judicial District Court of Webb County, Texas. [Closed Session requested pursuant to Texas Open Meeting Act §551.071 (Consultation with Attorney)]

Cmr. Gutierrez proposed that Constable Hinojosa's salary be raised to \$60,000 without the additional 6% raise and that \$4,500 be allotted for attorney's fees. She stated that Constable Juarez receive the additional 6% raise to his \$55,000 salary and be allotted \$4,500 for attorney's fees.

Cmr. Gutierrez motioned to approve above stated proposal. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

49. Adjournment

Cmr. Vasquez motioned to adjourn meeting. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.